



it is the Attorney General (through the Bureau of Prisons) who is responsible in the first instance for computing credit under § 3585(b). Id. at 334-35. The Court in Wilson made it clear that “[Section] 3585(b) does not authorize a district court to compute the [presentence detention] credit at sentencing.” Id. at 334. If petitioner is dissatisfied with the decision rendered by the BOP under §3585(b), he must first exhaust his administrative remedies and only then may he file a §2241 petition in the district of confinement. Once administrative remedies are exhausted, see 28 C.F.R. §§ 542.10–542.16, a dissatisfied defendant may then seek judicial review of any jail-time credit determination, Wilson, 503 U.S. at 335, by filing a *habeas petition* under 28 U.S.C. § 2241 in the district of confinement. Thomas v. Whalen, 962 F.2d 358 (4th Cir.1992). Even if this court were to provide Castro notice of its intent to treat such motion as a Section 2255 petition, a Section 2255 motion would not be the appropriate vehicle for defendant to challenge an administrative denial of credit for time served. Rogers v. United States, 180 F.3d 349 (1<sup>st</sup> Cir. 1999).

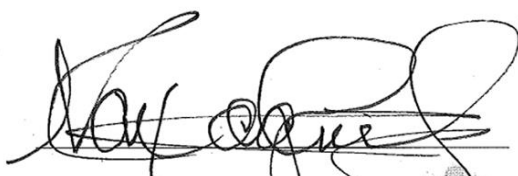
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To provide a complete record for defendant in his administrative challenge, the court notes that paragraph 58 of the Revised Presentence Report provides that the state-court conviction for which defendant states he served 11 months prior to being turned over to federal authorities is “related to the instant offense.” Revised PSR (#184) at ¶ 58 (temporarily unsealed in part for the limited purpose of addressing the instant motion).

### **ORDER**

**IT IS, THEREFORE, ORDERED** that defendant’s Request for Amended Judgment (#226) is **DENIED**.

Signed: December 2, 2014



Max O. Cogburn Jr.